

**U.S. Department of the Interior
Bureau of Land Management
Northeastern States District
626 East Wisconsin Avenue, Milwaukee, Wisconsin 53202
www.blm.gov/es**

PUBLIC NOTICE

**Bureau of Land Management Announces the Proposed Conveyance
of an Abandoned Railroad Right-of-Way to the Village of Forsyth, Illinois**

The U.S. Department of the Interior's Bureau of Land Management (BLM) has determined that the interests in a Railroad (RR) Right-of-Way (ROW) granted in the State of Illinois by an Act of Congress dated September 20, 1850, and abandoned by the Illinois Central Railroad (ICR), were retained by the Federal government and are eligible for conveyance pursuant to 16 U.S.C. 1248 (Rails to Trails Act) for recreational purposes. The segment of the RR ROW through the Village of Forsyth, Illinois was abandoned by ICR effective July 27, 1990. The Village of Forsyth applied to acquire the land under the Rails to Trails Act for recreation and other public purposes. Detailed information concerning this proposal is available for review at http://www.blm.gov/es/st/en/fo/milwaukeefo.html/lands_and_realty.html or at the address listed above.

If you would like additional information or would like to comment on the proposed conveyance, please contact Carol Grundman at 414-297-4447, at the above address, or at cgrundma@blm.gov. Comments must be submitted before May 31, 2015. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying

information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Background:

The BLM Northeastern States District received an application from the Village of Forsyth, Illinois on September 6, 2013 to acquire a 200 foot wide RR ROW within municipal boundaries pursuant to 16 U.S.C. 1248 (e)(1). The land occupied by the RR ROW was granted by an Act of Congress dated September 20, 1850 (9 Stat 466) entitled “An Act granting the Right of Way, and making a Grant of Land to the States of Illinois, Mississippi, and Alabama, in Aid of the Construction of a Railroad from Chicago to Mobile.” The interest conveyed by the Act of 1850 was a limited fee with an implied condition of reverter. When the ICR abandoned the RR ROW effective July 27, 1990, all right, title, and interest in the RR ROW reverted to the United States. 16 U.S.C. 1248 (e)(1) authorizes the Secretary of the Interior where appropriate to release and quitclaim RR ROW interests retained by the United States to a unit of government.

The Village of Forsyth would like to acquire the RR ROW between East Shafer Street and East Weaver Road located in Township 17 North, Range 2 East, Section 14, 4th Principal Meridian, Macon County, Illinois for trail and other public purposes. The BLM has determined that the Village of Forsyth is legally and financially qualified to manage this segment of the RR ROW for public recreational purposes. The release and quitclaim of the surface interest in the RR ROW would be subject to (A) a reversion to the United States if the Village of Forsyth attempts to sell, convey, or otherwise transfer their interest in the RR ROW, or attempts to permit a use that is incompatible with its use for recreation; (B) the Village of Forsyth must assume full responsibility and hold the United States harmless for any legal liability which might arise with respect to the transfer, possession, use, release, or quitclaim of such ROW; and (C) notwithstanding any other provision of law, the United States shall be under no duty to inspect the segment of the RR ROW prior to release and quitclaim, and shall incur no legal liability with respect to any hazard or any unsafe condition existing on the portion of the ROW at the time of release and quitclaim.